

Ex. 35

TEXAS DEPARTMENT OF PUBLIC SAFETY INTEROFFICE MEMORANDUM

To: Christopher Hanson, Lieutenant, CID **Date:** 12/22/2020
From: Nathaniel Head, Special Agent, CID **Division:** Criminal Investigations Division
Subject: 12/15/2020 Life Saving Actions - CID Lieutenant Martinez and Special Agent Murphy

On Tuesday, December 15th 2020 at approximately 4:03 PM, Capitol CID Special Agent Justin Murphy, while working from his office located in downtown Austin, observed a subject seated on the edge of the top level of the adjacent Travis County parking garage. Special Agent Murphy observed the subject, wearing a red jacket, appeared emotionally distressed in what appeared to be a possible suicidal episode. At that time, two Travis County Officers appeared to be negotiating with the subject to come down from his position on the western edge of the parking garage overlooking Guadalupe Street. DPS Capitol Patrol and Austin Police Department were both made aware of this developing situation through DPS Austin Communications. Special Agent Murphy along with CID Lieutenant Danny Martinez, traveled by foot to the parking garage, and made the decision to remove police insignia due to their observation of the subject appearing uncooperative and resistant to the officer presence already on scene. Lieutenant Martinez and Special Agent Murphy worked to gain rapport and build trust with the male subject, continuing open communication with the subject from a short distance of several feet. Approximately 20-25 minutes later, the subject agreed to come down from the parking garage edge. Once down, the subject continued communication with Lieutenant Martinez, Special Agent Murphy, and a Travis County Sheriff's Office CIT Officer. The subject admitted to suicidal ideations and self-inflicted harm over the previous 48 hours, and was taken into custody by a Travis County Sheriff's Office CIT Officer for further mental health evaluation and care. Special Agent Justin Murphy's observations, and further actions by both Special Agent Justin Murphy and Lieutenant Danny Martinez, were instrumental in the positive outcome of this situation and the preservation of the subject's life.

We need our award man! Lol

Sent from my iPhone

On Sep 9, 2021, at 9:26 AM, Martinez, Daniel (Capitol) <D.Martinez@dps.texas.gov> wrote:

From: Martinez, Daniel (Capitol)
Sent: Thursday, September 9, 2021 9:10 AM
To: Ohland, Ralph <Ralph.Ohland@dps.texas.gov>
Cc: d.martinez@dps.texas.gov
Subject: Status of Lifesaving Award Nomination

Capt., back in 12/15/2021, SA Justin Murphy and I were able to de-escalate a suicidal subject that was encountered by Travis County Building Security at the top floor of the Lavaca Garage. The subject RYAN FRANCISCO SMENTADECORTEZ (DOB: 02/01/2000) was having an episode after being allegedly abandoned and kicked out by family right before the holidays. He felt threatened by the presence of security and uniformed law enforcement who conducted a perimeter and was threatening to jump if police approached him. Justin and I being in plain clothes, we maintain our LE identification covert, and build rapport with him, hearing him out as to what issues he was having and what he needed. We were able to talk him down and convince him to seek assistance. We stayed with him from beginning to end, until he was committed to a local mental health facility. Prior to Mark retiring, he had told us at an Lt's meeting that SA Nate Head who witnessed the incident and response had nominated Justin and I for a lifesaver award. I'm following up not for me but on behalf of Justin who did an outstanding job and is very deserving of this award for hearing this kid out and saving his life. If there is anything I can do move this request/nomination forward please let me know. I've attached the WAR for that week and the screen shot is below.

From: Martinez, Daniel (Capitol) <D.Martinez@dps.texas.gov>
Sent: Thursday, September 9, 2021 8:56 AM
To: Martinez, Daniel (Capitol) <D.Martinez@dps.texas.gov>

SA Head

From: Martinez, Daniel (Capitol) <D.Martinez@dps.texas.gov>
Sent: Monday, July 11, 2022 10:22 AM
To: Head, Nathaniel <Nathaniel.Head@dps.texas.gov>
Subject: Fwd: Status of Lifesaving Award Nomination

Hey Nate by any chance do you have the write up that you pushed up to Chris to submit to Captain Koenig?

DM

Begin forwarded message:

From: "Ohland, Ralph" <Ralph.Ohland@dps.texas.gov>
Date: July 11, 2022 at 9:19:14 AM MDT
To: "Martinez, Daniel (Capitol)" <D.Martinez@dps.texas.gov>
Subject: RE: Status of Lifesaving Award Nomination

Do you have Nate's Write-up again by any chance?

From: Martinez, Daniel (Capitol) <D.Martinez@dps.texas.gov>
Sent: Thursday, July 7, 2022 12:00 PM
To: Ohland, Ralph <Ralph.Ohland@dps.texas.gov>
Subject: Fwd: Status of Lifesaving Award Nomination

Capt, is there anything we can do about this? Is there someone at HQ or Directors office we can ask to see if we can get this written up again and submitted. Again this is the one that Nate Head wrote up and Mark Koenig never submitted or notified the Major about.

DM

Begin forwarded message:

From: "Murphy, Justin M" <Justin.Murphy@dps.texas.gov>
Date: July 6, 2022 at 3:50:49 PM MDT
To: "Martinez, Daniel (Capitol)" <D.Martinez@dps.texas.gov>
Subject: Re: Status of Lifesaving Award Nomination

From: Martinez, Daniel (Capitol) D.Martinez@dps.texas.gov
Subject: Fwd: Status of Lifesaving Award Nomination
Date: Jul 11, 2022 at 11:06:50 AM
To: Martinez, Daniel (Capitol) D.Martinez@dps.texas.gov

Sent from my iPhone

Begin forwarded message:

From: "Martinez, Daniel (Capitol)" <D.Martinez@dps.texas.gov>
Date: July 11, 2022 at 11:03:09 AM MDT
To: "Ohland, Ralph" <Ralph.Ohland@dps.texas.gov>
Subject: Fwd: Status of Lifesaving Award Nomination

Captain, see attached response and memo from Nate which was submitted to Lt Hanson and Captain Koenig by Chris.

DM

Begin forwarded message:

From: "Head, Nathaniel" <Nathaniel.Head@dps.texas.gov>
Date: July 11, 2022 at 10:41:58 AM MDT
To: "Martinez, Daniel (Capitol)" <D.Martinez@dps.texas.gov>
Subject: RE: Status of Lifesaving Award Nomination

Danny,

I found the attached HQ-9. I do know this was submitted by Chris. Beyond that, I am unaware where it landed.

Thanks,